

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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HARTFORD FIRE INSURANCE COMPANY
a/s/o Lycee Francais de New York,

Plaintiff,

-against-

MAYRICH CONSTRUCTION CORP., LANGAN
ENGINEERING & ENVIRONMENTAL SERVICES, INC.,
F.J. SCIAME CONSTRUCTION CO., INC., POLSHEK
PARTNERSHIP, LLP AND CANTOR SEINUK GROUP,
INC.,

CIVIL ACTION NO.
CV 07-4084 (SHS) (AJP)

Defendants.

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**DEFENDANT LANGAN ENGINEERING & ENVIRONMENTAL
SERVICES, INC.'S ANSWER TO CROSS-CLAIM OF
DEFENDANT POLSHEK PARTNERSHIP, LLP WITH CROSS-CLAIM**

Defendant, Langan Engineering & Environmental Services, Inc. ("Langan"), by its attorneys, Sedgwick, Detert, Moran & Arnold LLP, as and for its Answer to the Cross-Claim of Defendant, Polshek Partnership, LLP ("Polshek"), alleges upon information and belief as follows:

ANSWERING THE CROSS-CLAIM AGAINST ALL CO-DEFENDANTS

FIRST: Langan denies the allegations contained in Paragraph 1 of Polshek's Cross-Claim to the extent they are directed against it, otherwise, Langan lacks knowledge and information sufficient to form a belief as to the truth of the allegations contained in Paragraph 1.

SECOND: Langan denies the allegations contained in Paragraph 2 of Polshek's Cross-Claim to the extent they are directed against it, otherwise, Langan lacks knowledge and information sufficient to form a belief as to the truth of the allegations contained in Paragraph 2.

FIRST AFFIRMATIVE DEFENSE

THIRD: Langan hereby incorporates and adopts by reference each and every applicable Affirmative Defense asserted in its Answer to the Complaint of Plaintiff, Hartford Fire Insurance Company a/s/o Lycee Francais de New York.

SECOND AFFIRMATIVE DEFENSE

FOURTH: The Cross-Claim fail to state a cause of action upon which relief may be granted.

THIRD AFFIRMATIVE DEFENSE

FIFTH: Langan pleads the failure to join necessary parties, and the intervening negligence and intervening causation of persons not a party to this action as a partial or complete bar to all causes of action asserted in the Cross-Claim.

FOURTH AFFIRMATIVE DEFENSE

SIXTH: Langan will rely upon any and all other further defenses that become available or appear during discovery proceedings in this action and Langan hereby specifically reserve the right to amend its Answer to the Cross-Claim for the purposes of asserting any such additional affirmative defense.

**AS AND FOR A CROSS-CLAIM FOR CONTRIBUTION
AND/OR INDEMNIFICATION AGAINST DEFENDANT
POLSKHEK PARTNERSHIP, LLP**

SEVENTH: If Plaintiff sustained damages in the manner alleged in the Complaint, all of which is denied by Langan, such damages were caused in whole or in part by reason of the negligence and/or culpable conduct by Polshek and/or other parties, and not as a result of any negligence or culpable conduct on the part of Langan.

EIGHTH: By reason of the foregoing, Langan is entitled to indemnification and/or contribution from, and to have judgment over and against, Polshek, for all or part of any verdict or judgment that Plaintiff may recover against Langan, including any and all attorneys' fees, costs and disbursements incurred by Langan.

WHEREFORE, the Defendant, Langan Engineering & Environmental Services, Inc., hereby demands judgment dismissing the cross-claim of Defendant, Polshek Partnership, LLP, or in the event Plaintiff recovers a judgment against Langan, then Langan demands judgment over against Polshek, together with attorneys' fees, costs and disbursements of this action and such other and further relief as the Court deems just and proper.

Dated: New York, New York
August 23, 2007

Yours, etc.,

SEDWICK, DETERT, MORAN & ARNOLD LLP

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